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WESTERN DISTRICT OF LOUISIANA  
MONROE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

GARY DAVIS

CIVIL ACTION NO. 05-0916-M

VS.

SECTION P

WARDEN CHAD LEE

JUDGE JAMES

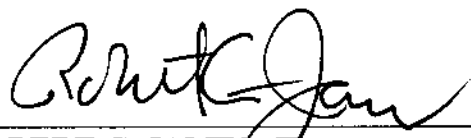
MAGISTRATE JUDGE KIRK

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record;

**IT IS ORDERED** that plaintiff's civil rights action be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim on which relief may be granted in accordance with 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

**THUS DONE AND SIGNED**, in chambers, in Monroe, Louisiana, on this 24 day  
of October, 2005.

  
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ROBERT G. JAMES, JR.  
UNITED STATES DISTRICT JUDGE